

# Sedgwick LLP

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September 14, 2012

*Via ECF and Federal Express*

Honorable Patty Shwartz, U.S.M.J.  
United States District Court  
Martin Luther King Building and Courthouse  
50 Walnut Street, Room 2060  
Newark, New Jersey 07101

Re: C.R. Bard, Inc. v. Lexington Insurance Company  
United States District Court, District of New Jersey, No. 2:12-00050 (KSH)(PS)  
Sedgwick File No.: 02331-007509

Honorable Judge Shwartz:

This office represents defendant, Lexington Insurance Company ("Lexington"), in the above-referenced matter. We write to request an extension of the briefing schedule on Lexington's pending motion for reconsideration.

Lexington and Bard have discussed this motion and have agreed that, as part of the settlement discussions, the most beneficial course for the parties is to adjourn the completion of briefing on Lexington's motion for reconsideration until after the parties have had their first settlement meeting, which is scheduled for October 25, 2012. One reason for jointly seeking the stay of this lawsuit was to defer certain issues and other activity, to permit the parties to focus their attention on analysis of the underlying claims directly at issue and discuss a resolution of this matter. Therefore, the parties respectfully propose reporting to the Court on November 7, 2012 regarding the status of the settlement negotiations and to advise whether the completion of briefing on Lexington's motion for reconsideration is necessary at that stage. The parties will continue their efforts to resolve the discovery issues as directed in the Court's September 12, 2012 Order.

Respectfully submitted,



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Cc: Jeffrey M. Pollock, Esq.